

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO.160 OF 2006  
IN  
CRIMINAL WRIT PETITION NO.303 OF 2006**

Rajesh P. Sharma

...Applicant

vs.

State Bank of India and others

...Respondents

Mr.A.B.Vagyani for the Applicant

Ms S.V.Gajare A.P.P. for State

Mr.N.R.Tiwari i/b Mr.T.B.Tiwari & Co. for Respondent No.1

**CORAM: A.S.OKA,J.  
DATE : OCTOBER 7,2006.**

**P.C.:**

1. By the order which is challenged in this application, the learned Metropolitan Magistrate has accepted the apology tendered by Shri S.P.Deshpande, Manager of the first Respondent. The prayer in this Application is for holding a judicial enquiry into the conduct of Shri Deshpande as well as the Advocate appearing for the first Respondent in the complaint

2. Shri S.P.Deshpande, the Manager of the first Respondent Bank has accepted the mistake on his part. The learned Trial Judge in his discretion has accepted the apology and has warned Shri Deshpande not commit such type of mistakes in future with regard to any court record. I do not find any error in the discretionary order passed by the trial court.

3. So far as the prayer for holding enquiry against the

conduct of the Respondent No.2 is concerned, I find that when the mistake has been accepted by Shri Deshpande, there is no reason to hold any enquiry against the Advocate of the first Respondent. Hence, Application is rejected.

**JUDGE**